

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



September 7, 2010

**To: INTERESTED PARTIES**

**SUBJECT: PROGRAM OPPORTUNITY NOTICE (RFP) 700-09-001  
ADDENDUM #1  
SUPPORT OF THE RENEWABLE ENERGY TRANSMISSION  
INITIATIVE**

**NOTICE IS HEREBY GIVEN THAT THE ABOVE SOLICITATION IS AMENDED AS FOLLOWS:**

**1. Please find the following pages of the RFP are hereby amended as follows:**

“Replace pages 2, 9,10,12,13, and 29, with the attached pages 2,9,10,12,13,29, dated September, 7 2010.

Please note that the end date of this agreement has changed from 3/31/2012 to 3/12/2013.

**Proposals must be delivered no later than 3:00PM EST September 14, 2010.**

Except as herein amended, all other terms and conditions shall remain the same.

Sincerely,

*Andrew Ferrin*

**ANDREW FERRIN**  
Contract Officer

Attachments  
RFP 700-09-701 Addendum#1

# REQUEST FOR PROPOSALS

## Support of the Renewable Energy Transmission Initiative (RETI)



RFP #700-09-701  
[www.energy.state.ca.gov/contracts](http://www.energy.state.ca.gov/contracts)  
State of California  
California Energy Commission  
~~August 3~~September 7, 2010

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## Attachments

- 1 Contractor Status Form
- 2 Darfur Contracting Act
- 3.1 Certified Small/micro Business, Non-small Business and DVBE Certification Instructions
- 3.2 Disabled Veteran Business Enterprise Program Requirements
- 3.3 DVBE Std. 843
- 3.4 Bidder Declaration form GSPD-05-105
- 4 Contractor Certification Clauses
- 5 Client References
- 6 Sample Standard Agreement
- 7 Target Area Contract Preference Act (TACPA) Preference Request
- 8 Enterprise Zone Act (EZA) Preference Request
- 9 Local Agency Military Base Recovery Act (LAMBRA) Preference Request
- 10 Budget Workbook

# **I. Introduction**

## **BACKGROUND**

The Renewable Energy Transmission Initiative (RETI) is a voluntary and informal stakeholder collaborative which was established in 2007 to: (1) help identify the transmission infrastructure needed to accommodate California's renewable energy goals; (2) provide information to decision makers; (3) facilitate transmission corridor identification and designation; (3) facilitate transmission and generation siting permitting; and (4) support future energy policy.  
(<http://www.energy.ca.gov/reti/background.html>)

To accomplish these goals, RETI is designed as a "stakeholder planning collaborative [that will] gather information and advice, and then ... build active and consensus support for specific plans for renewable energy and related transmission development."  
(<http://www.energy.ca.gov/reti/index.html>)

The complete program description of RETI and its structure, RETI reports, and detailed information from various RETI working groups are found in on the RETI website, [[www.energy.state.ca.us/reti](http://www.energy.state.ca.us/reti)]. This planned contract will build on RETI's prior body of work and the work performed under this contract is expected to be consistent with RETI's prior work. Therefore, proposers are expected to review and be familiar with RETI's principles of operation and the extensive RETI materials available on the RETI website before preparing their proposals.

## **PURPOSE OF RFP**

The purpose of this RFP is to select a qualified contractor to provide support services to RETI stakeholders that include coordinating and facilitating meetings, seeking consensus decisions from stakeholders and participants, and preparing reports and other documents on actions and decisions reached by stakeholders. The Contractor will be relied upon for its: 1) familiarity, experience and expertise regarding policy and technical issues related to RETI analyses, and with renewable transmission planning, permitting, and development; 2) facilitation skills in dealing with multiple parties with divergent views; 3) ability to work with multiple stakeholders on a variety of complex issues; and 4) coordination of multiple facets of the RETI process simultaneously.

## **I. INTRODUCTION, CONTINUED**

### **KEY ACTIVITIES AND DATES**

Key activities and times for RFP are presented below. This is a tentative schedule; please call the Contracts Office to confirm dates.

<b>ACTIVITY</b>	<b>ACTION DATE</b>
RFP Release	8/3/2010
Deadline for Written Questions	8/19/2010 5 P.M.
Pre-Bid Conference	8/19/2010
Distribute Questions/Answers and Addenda (if any) to RFP	8/30/2010
<b>Deadline to Submit Proposals by 3:00 p.m.</b>	9/14/2010
Clarification Interviews (If necessary)	TBD
Notice of Proposed Award	9/29/2010
Commission Business Meeting	11/17/2010
Contract Start Date	12/20/2010
Contract Termination Date	3/31/201 <del>3</del> <sup>2</sup>

### **AVAILABLE FUNDING**

There is \$750,000.00 available for the contract resulting from this RFP.

### **PRE-BID CONFERENCE**

There will be one Pre-Bid Conference; participation in this meeting is optional but encouraged. The Pre-Bid Conference will be held at the date, time and location listed below. Please call (916) 654-4392 or refer to the Energy Commission's website at [www.energy.ca.gov](http://www.energy.ca.gov) to confirm the date and time.

August 19, 2010

2 P.M.

California Energy Commission  
3rd Floor Conference Room ("Fishbowl")  
1516 9th Street  
Sacramento, CA 95814  
Telephone: (916) 654-4392

### **PARTICIPATION THROUGH WEBEX**

For participation through WebEx, the Energy Commission's on-line meeting service, follow the instructions below:

## **I. INTRODUCTION, CONTINUED**

### **COMPUTER LOGON WITH A DIRECT PHONE NUMBER:**

\* Please go to <https://energy.webex.com> and enter the unique meeting number:  
923 921 147

\* When prompted, enter your information and the following meeting password:  
meeting@2

\* After you login, a prompt will appear on-screen for you to provide your phone number. In the Number box, type your area code and phone number and click OK to receive a call back on your phone for the audio of the meeting. International callers can use the "Country/Region" button to help make their connection.

### **COMPUTER LOGON FOR CALLERS WITH AN EXTENSION PHONE NUMBER, ETC.:**

\* Please go to <https://energy.webex.com> and enter the unique meeting number:  
923 921 147

\* When prompted, enter your information and the following meeting password:  
meeting@2

\* After you login, a prompt will ask for your phone number. Click: CANCEL.

\* Instead, call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login. International callers can dial in using the "Show all global call-in numbers" link (also in the top left area).

### **TELEPHONE ONLY (NO COMPUTER ACCESS):**

\* Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number above. International callers can select their number from:  
<https://energy.webex.com/energy/globalcallin.php>

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. Please be aware that the meeting's WebEx audio and on-screen activity may be recorded.

### **QUESTIONS**

During the RFP process, questions of clarification about this RFP must be directed to the Contracts Officer listed in the following section. You may ask questions at the Pre-Bid Conference, and you may submit written questions in writing via mail, electronic mail, FAX, and by phone. However, all questions must be received by 5:00 pm on the day of the Pre-Bid Conference. After the Pre-Bid Conference, question and answer sets will be mailed to all parties who requested a copy of this RFP from the Commission Contracts Office and all that attended the Pre-Bid conference. The questions and answers will also be posted on the Commission's website at:

<http://www.energy.ca.gov/contracts/index.html>.



## **I. INTRODUCTION, CONTINUED**

Any verbal communication with a Commission employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP.

### **CONTACT INFORMATION**

Andrew Ferrin, Contracts Officer  
California Energy Commission  
1516 Ninth Street, MS-18  
Sacramento, California 95814  
Telephone: (916) 654-4921  
FAX: (916) 654-4423  
E-mail: aferrin@energy.state.ca.us

### **RESPONSES TO THIS RFP**

Responses to this RFP shall be in the form of Technical and Cost Proposals according to the format described in Section IV of this RFP (Proposal Format, Required Documents, and Delivery). The Technical Proposal shall document the Bidder's and any subcontractor's approach, experience, qualifications, and project organization to perform the tasks described in Part II (Scope of Work and Deliverables), and the Cost Proposal shall detail the Bidder's and any subcontractor's budget to perform such tasks.

### **REFERENCE DOCUMENTS**

Bidders responding to this RFP should familiarize themselves with the documents linked to the following web page:

<http://www.energy.ca.gov/reti/index.html>

## **II. Scope of Work and Deliverables**

### **ABOUT THIS SECTION**

This section describes the contract scope of work, deliverables and due dates under the direction of the Commission Contract Manager (CCM).

### **BACKGROUND**

The Renewable Energy Transmission Initiative (RETI) is a voluntary and informal stakeholder collaborative which was established in 2007 to help identify the transmission infrastructure needed to accommodate California's renewable energy goals; facilitate renewable transmission corridor identification; facilitate renewable transmission and generation permitting processes; support renewable energy policy development; and influence federal, state, and local agency renewable transmission infrastructure initiatives. (<http://www.energy.ca.gov/reti/background.html>)

To accomplish these goals, RETI is designed as a "stakeholder planning collaborative [that will] gather information and advice, and then ... build active and consensus support for specific plans for renewable energy and related transmission development." (<http://www.energy.ca.gov/reti/index.html>)

The complete program description of RETI and its structure, RETI reports, and detailed information from various RETI working groups are found in on the RETI website, [[www.energy.state.ca.us/reti](http://www.energy.state.ca.us/reti)]. This contract will build on RETI's prior body of work and the work performed under this contract is expected to be consistent with RETI's prior work. Therefore, proposers are expected to review and be familiar with RETI's principles of operation and the extensive RETI materials available on the RETI website before preparing their proposals. See: <http://www.energy.ca.gov/reti/index.html>

### **GENERAL REQUIREMENTS OR GOALS AND OBJECTIVES**

The purpose of this RFP is to select a qualified contractor to provide support services to RETI stakeholders that include coordinating and facilitating meetings, seeking consensus decisions from stakeholders and participants, preparing reports and other documents concerning actions and decisions reached by the RETI stakeholders; maintaining and expanding RETI databases, and submitting monthly progress reports and a final contract report to the CCM. The Contractor will be relied upon for its: 1) familiarity, experience and expertise regarding policy and technical issues related to RETI analyses, and with renewable transmission planning, permitting, and development; 2) facilitation skills in dealing with multiple parties with divergent views; 3) ability to work with multiple stakeholders on a variety of complex issues; and 4) coordination of multiple facets of the RETI process simultaneously. Deliverables pursuant to this proposed contract will be submitted to the CCM.

## **II. SCOPE OF WORK AND DELIVERABLES CONTINUED**

### **TASK 1: CONTRACT MANAGEMENT**

#### **TASK 1.1: KICKOFF MEETING**

##### **THE CONTRACTOR SHALL:**

- Attend a “kick-off” meeting with the CCM, Contracts Officer, the Accounting Office, and the Contractor’s Project Manager. The administrative and technical aspects of this contract will be discussed.
- Summarize the topics discussed and meeting outcomes.

##### **DELIVERABLES:**

- Kick-off meeting summary notes
- Work Plan (draft)

#### **TASK 1.2: INVOICES**

##### **THE CONTRACTOR SHALL:**

- Prepare invoices for all reimbursable expenses incurred performing work under the contract. Official invoices must be submitted to the Energy Commission’s Accounting Office.

#### **TASK 1.3: SUBCONTRACTORS**

##### **IN THE EVENT SUBCONTRACTORS ARE PART OF THE CONTRACTOR’S PROPOSAL, THE CONTRACTOR SHALL:**

- Manage and coordinate subcontractor activities. The Contractor is responsible for the quality of all subcontractor work and the Energy Commission will assign all work to the Contractor. If the Contractor decides to add new subcontractors during the term of the contract, the Contractor shall notify the CCM who will follow the Energy Commission’s process for adding or replacing subcontractors.

#### **TASK 1.4: MONTHLY PROGRESS REPORTS**

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of the project.

##### **THE CONTRACTOR SHALL:**

- Prepare monthly progress reports which summarize all contract activities conducted by the Contractor for the reporting period, including:
  - An assessment of the ability to complete the contract within the current budget and any anticipated cost overruns.
- Each progress report is due to the CCM by the 15<sup>th</sup> of the month after the end of the reporting period.

##### **DELIVERABLES:**

- Monthly Progress Reports

## **II. SCOPE OF WORK AND DELIVERABLES CONTINUED**

### **TASK 1.5: FINAL REPORT**

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work performed under this contract. The Final Report will be a public document. If the Energy Commission confers confidential status on the Contractor, the Contractor shall prepare a confidential version of the Final Report as well, in which case the Contractor shall perform the following subtasks for both the public and confidential versions of the Final Report.

#### **TASK 1.5.1: FINAL REPORT OUTLINE**

##### **THE CONTRACTOR SHALL:**

- Prepare and submit an electronic draft outline of the Final Report to the CCM for review and approval. The CCM will provide written comments to the Contractor on the draft outline within 10 working days of receipt.
- Prepare and submit a final outline to the CCM that addresses the CCM's comments on the draft outline within 5 days of receipt of the CCM's comments on the draft outline. The CCM shall provide further comments on the final outline within 5 working days of receipt or approve the final outline as submitted. If necessary, the contractor shall prepare a revised final outline to the CCM that addresses the CCM's comments on the final outline within 5 working days of receipt.

##### **DELIVERABLES:**

- Outlines of the Final Report (draft and final)

#### **TASK 1.5.2: FINAL REPORT**

##### **THE CONTRACTOR SHALL:**

- Prepare a draft Final Report on the contract in accordance with the approved final outline and submit the draft Final Report to the CCM for review and comment within 10 working days of receipt of the CCM's final comments on the final outline. The CCM will provide written comments within 5 working days of receipt.
- Prepare and submit a Final Report on the contract that addresses all of CCM's comments on the draft Final Report within 5 working days of receipt of the CCM's comments. The CCM may require other changes that the contractor shall address in the revised draft Final Report. Once final editing is completed, the CCM shall make any final changes and provide written approval to the Contractor within 5 working days. The Final Report must be completed on or before the termination date of the contract.
- Submit one bound and one electronic copy of the Final Report with the final invoice.

##### **DELIVERABLES:**

- Final Report (draft and final)

## **II. SCOPE OF WORK AND DELIVERABLES CONTINUED**

### **TASK 1.6: WORK PLAN**

#### **THE CONTRACTOR SHALL:**

Propose, obtain CCM approval of, and adhere to a work plan for the duration of the contract and the Contractor's service to the Energy Commission. The draft work plan shall be presented at the kickoff meeting described in Task 1.1, and revised per direction and discussions of the CCM.

#### **DELIVERABLES:**

- Work Plan (final)

### **TASK 2: ORGANIZE, FACILITATE, AND COORDINATE MEETINGS**

RETI has established a public process which involves representatives of state and federal regulatory agencies, local governments, the California Independent System Operator (California ISO), investor and publicly owned utilities (IOUs and POUs, respectively), native American tribes, the military, renewable energy developers, the environmental community, ratepayers, and renewable power developers. To date, RETI has functioned on a consensus basis. A contractor has coordinated the process and facilitated stakeholder participation, managed the consensus identification and refinement of competitive renewable energy zones (CREZs) and identification of conceptual transmission projects that can be incorporated into the California ISO and POU transmission planning processes.

## II. SCOPE OF WORK AND DELIVERABLES CONTINUED

The Contractor shall provide ongoing support for the RETI collaborative effort. The Contractor shall organize and lead RETI's various working groups and committees, including the Technical Working Groups (TWGs), Coordinating Committee (CC), Stakeholder Steering Committee (SSC), Plenary Stakeholder Group (PSG), and any other working groups, as directed by the CCM. The Contractor shall facilitate discussion and communication of issues, implications, and other efforts related to renewable transmission planning and development efforts to support renewable energy project development at formal meetings, as part of the process of leading various working groups, and outside of meetings as necessary. The Contractor shall also undertake administrative activities such as preparing meeting notices, working out meeting logistics, developing meeting agendas, and distributing meeting notes and action items. The Contractor shall also perform other services related to this task as may either be directed by the CCM or proposed by the Contractor and approved by the CCM.

Typically, the SSC meets monthly, usually alternating between the Sacramento and San Francisco areas; the CC meets twice monthly by telephone conference; TWGs are established and meet as the need arises, often holding meeting using WebEx. A review of the meeting materials from the RETI website may be useful.

### DELIVERABLES:

- Meeting announcements – ~~5 working days before each meeting.~~
- ~~Draft Summary Meeting Notes (for Stakeholder Steering Committee meetings), including list of attendees.~~ ~~5 working days after each meeting.~~
- ~~Final Summary Meeting Notes (for Stakeholder Steering Committee (SSC) meetings), including list of attendees.~~
- ~~5 working days after approved by SSC members after each meeting.~~ Summary Meeting Notes for Coordinating Committee Meetings, including list of attendees.
- ~~5 working days after each meeting.~~
- Report to SSC summarizing activities of Working Groups that have been active since the last SSC meeting
- Summary Meeting Notes for Working Group Meetings—, including list of attendees.

### TASK 3: DATA MAINTENANCE

In conjunction with the RETI stakeholders, RETI has developed several databases that the Contractor shall maintain and expand. These include:

- CREZ Energy and Capacity Data (Excel) - includes a list of all CREZ being considered by RETI, including out of state areas. For each CREZ, energy and capacity deemed to have potential economic viability are provided by technology, together with indicators of energy cost and environmental concerns.

## II. SCOPE OF WORK AND DELIVERABLES CONTINUED

- CREZ Environmental Data (Excel and GIS files)
  - Excel file: Includes a list of all CREZ being considered by RETI, excluding out of state areas. For each CREZ, data representing energy, land use, and environmental criteria (Shown in Phase 1B Report section 4-1 and in Phase 2B Report section 5-1) are provided as well as the relative environmental concern of each RETI CREZ.
  - GIS files: Includes supporting data, and supporting data layers from the California Department of Fish and Game (DGF), Department of Conservation (DOC), and Environmental Protection Agency (EPA) related to Important Bird Areas (IBAs), wildlife corridors, and brown field and mining sites. GIS layers are used to produce data for IBAs, wildlife corridors, and brown field and mining sites. Updates are reflected in the Excel spreadsheet.
- Environmental Transmission Data (Excel): Includes a list of all transmission segments being considered by RETI. For each transmission segment, the right of way requirements, type of transmission upgrade, and the expert environmental concern are provided, as shown in Phase 2A Report in appendix D.

The Contractor shall maintain the integrity of RETI data, and shall update and revise the databases described above at the direction of the SSC or the CCM. Several other efforts (listed below), initiated after RETI began its work may produce additional data that the Contractor may be required to add to the RETI databases and RETI maps. As these data are available, they shall be incorporated into RETI's existing databases as directed by the SSC or the CCM. Thus, RETI's work will subsequently both feed into and incorporate updates from subsequent transmission planning cycles of the various organizations and planning efforts listed below. This iterative process will assure that RETI data is regularly revised to reflect the products of these and other related processes in response to the Governor's Executive Order S-14-08. (See: <http://gov.ca.gov/executive-order/11072/> other processes may develop, results of which the Contractor may be required to incorporate into RETI's databases.

Efforts related to RETI that may produce data that the Contractor will be responsible for adding to RETI databases include but are not limited to:

- California Independent System Operator's (California ISO) Transmission Planning Process (TPP)
- California Public Utilities Commission's (CPUC) Long-Term Procurement Proceeding (LTPP)
- California Transmission Planning Group (CTPG)
- Transmission Corridor Identification and Designation
- Desert Renewable Energy Conservation Plan (DRECP)<sup>1</sup>
- U.S. Bureau of Land Management (BLM) Solar Programmatic Environmental Impact Statement (PEIS) to evaluate utility-scale solar energy development<sup>2</sup>

<sup>1</sup>. <<http://www.energy.ca.gov/33by2020/index.html>>



## II. SCOPE OF WORK AND DELIVERABLES CONTINUED

- California Desert Protection Act of 2010 (Senator Dianne Feinstein, S.2921)

### DELIVERABLES:

- Updated databases – 30 days after updated data are available.

### TASK 4: INTERACTIONS WITH OTHER PROCESSES

An important part of the next phase of RETI will be to provide a forum for agencies and entities that plan, propose, and permit electrical transmission projects to vet proposals with RETI stakeholders. RETI has working relationships with the CTPG, the California ISO, the CPUC, the California Energy Commission (Energy Commission), the Desert Renewable Energy Conservation Plan (DRECP) and the BLM. RETI has developed an informal process that provides these and other groups a forum at which to vet and receive important feedback from RETI stakeholders during the conception, formulation and development of electrical transmission plans that will connect sources of renewable energy with the statewide electrical transmission grid. The outcome of these informal processes should be identifying areas where electrical transmission-related proposals related to renewable resources could be improved on a statewide basis.

The Contractor shall facilitate full consideration of RETI's comments and products into the CTPG transmission planning process, the California ISO's TPP, the CPUC's LTPP, the Energy Commission's Integrated Energy Policy Report (IEPR) and the related Strategic Transmission Investment Plan (STIP), the BLM Solar Programmatic Environmental Impact Statement (PEIS), and the DRECP and other transmission and generation project development initiatives and processes affecting California renewable energy development, as directed by the CCM. The entities involved in the CTPG, TPP, LTPP, and other transmission planning initiatives are involved in studies which will ultimately lead to transmission project development and related permit applications. RETI's work under this contract will build upon the body of work it has accomplished to date and will further RETI's contribution to the next steps leading to transmission project development and permit application and processing.

The Contractor shall prepare and present reports to the SSC and the CC as necessary, to inform and update them regarding developments in various processes, including but not limited to those listed above. The Contractor shall enlist the members of the SSC in discussions relevant to these activities and developments and their relevance and implications for RETI, and if necessary, on RETI's response to them.

### DELIVERABLE:

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[[http://feinstein.senate.gov/public/index.cfm?FuseAction=NewsRoom.PressReleases&ContentRecord\\_id=b3cb1c7d-5056-8059-7644-b14713dcc1a5&Region\\_id=&Issue\\_id=](http://feinstein.senate.gov/public/index.cfm?FuseAction=NewsRoom.PressReleases&ContentRecord_id=b3cb1c7d-5056-8059-7644-b14713dcc1a5&Region_id=&Issue_id=)].



## II. SCOPE OF WORK AND DELIVERABLES CONTINUED

- Report to the SSC summarizing efforts made and/or results realized

### DELIVERABLES AND DUE DATES FOR ALL TASKS

Task		Deliverable	Due Date
1	Contract Management	Work Plan (draft)	At kick-off meeting
		Summary Meeting Notes <a href="#">and</a> Work Plan (final)	5 working days after kick-off meeting
		Monthly progress reports	15 <sup>th</sup> day of each month
		Final Report outline (draft)	<a href="#">On or before 10/08/2012</a>
		Final Report outline (final)	<a href="#">10/29/2012</a>
		<a href="#">Final Report outline (revised, if necessary)</a>	<a href="#">11/13/2012</a>
		Final Report (draft)	<a href="#">11/29/2012</a>
		<a href="#">Final Report draft (revised, if necessary)</a>	<a href="#">On or before 12/20/2012</a> <del>By termination date of contract.</del>
		Final Report (final)	
2	Facilitate and Coordinate Meetings	Meeting Announcements	5 working days before meeting
		Draft Summary Meeting Notes (for Stakeholder Steering Committee meetings)	5 working days after meeting
		Final Summary Meeting Notes (for Stakeholder Steering Committee (SSC) meetings)	5 working days after approved by SSC members
		Summary Meeting Notes for Coordinating Committee Meetings	5 working days after meeting
		<a href="#">Summary Meeting Notes for all</a>	<a href="#">5 working days after</a>

## II. SCOPE OF WORK AND DELIVERABLES CONTINUED

		<u>Working Group meetings</u> Report to SSC summarizing activities of Working Groups that have been active since the last SSC meeting.	<u>meeting</u> 5 working days before <u>each SSC</u> meeting
3	Data Maintenance	Updated databases: see description under Task 3, above.	One month after the data becomes available
4	Interactions with Other Processes	Report to the SSC summarizing efforts made and/or results realized	One month after the activity occurs

### III. Evaluation Process and Criteria

#### ABOUT THIS SECTION

This section explains how proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals. A Bidder's proposal will be evaluated and scored based on its response to the information requested in this RFP. During the evaluation and selection process, the Energy Commission may interview a Bidder either by telephone or in person at the Energy Commission for the purpose of clarification and verification of information provided in the proposal. However, these interviews may not be used to add to or change the contents of the original proposal.

#### PROPOSAL EVALUATION

To analyze all Proposals, the Energy Commission will organize an Evaluation Committee. The Proposals will be analyzed in two stages:

##### **Stage One: Administrative and Completeness Screening**

The Contracts Office will review Proposals for compliance with administrative requirements and completeness. Proposals that fail Stage One will be disqualified and eliminated from further evaluation.

##### **Stage Two: Technical and Cost Evaluation of Proposals**

Proposals passing Stage One will be submitted to the Evaluation Committee to score proposals based on the Evaluation Criteria in this Section. The Evaluation Committee may, at its discretion, seek clarification of any point in the written technical proposal through a clarification interview with the Bidder. All Preferences will be applied, if applicable, to all proposals attaining a minimum technical score of **700** points or more. Proposals not attaining a minimum technical score of **700** points or more shall not be eligible for award.

### III. EVALUATION PROCESS AND CRITERIA CONTINUED

#### Notice of Proposed Award

Subsequent to the Proposal evaluations, the Commission will post a “Notice of Proposed Award” at the Commission’s headquarters in Sacramento, and on the Commission’s Web Site.

#### Scoring Scale

The Evaluation Committee will give a score from zero (0) to ten (10) for each criterion described below. The point calculations reflect the averages of the combined scores of all Evaluation Committee members.

##### Point Scale

0 Points	<ul style="list-style-type: none"><li>✓ Is not in substantial accord with the RFP requirements.</li><li>✓ Has a potential significant effect on the amount paid or net cost to the State or the quality or quantity of product and/or service.</li><li>✓ Provides an advantage to one competitor over the other competitors, for example, not paying minimum wages.</li></ul>
1-3 Points	<ul style="list-style-type: none"><li>✓ The proposal states a requirement, but offers no explanation of how or what will be accomplished.</li><li>✓ The response contains a technical deficiency which is an inaccurate statement or reference concerning the how, what, where, or when, which is part of an overall statement or description.</li></ul>
4-6 Points	<ul style="list-style-type: none"><li>✓ Satisfies the minimum requirements and describes generally how and/or what will be accomplished.</li></ul>
7-9 Points	<ul style="list-style-type: none"><li>✓ Satisfies the minimum requirements and in an exemplary manner specifically describes how and/or what will be accomplished, using sample products and illustrative materials (e.g., reports, diagrams, charts, graphs, etc.).</li></ul>
10 Points	<ul style="list-style-type: none"><li>✓ Exceeds the minimum requirements and in an exemplary manner specifically describes how and/or what will be accomplished both quantitatively and qualitatively, using sample products and illustrative materials (e.g., reports diagrams, charts, graphs, etc.).</li></ul>

#### Preference Points

A Bidder may qualify for non-technical preference points such as Small/Micro Small Business, Non-Small Business, and Disabled Veteran Business Enterprises (DVBE). Each qualifying Bidder passing the minimum technical evaluation of **700** points will receive the applicable preference points.

### **III. EVALUATION PROCESS AND CRITERIA CONTINUED**

#### **Small / Micro-Business**

Bidders who qualify as a State of California certified small business will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. Bidders qualifying for this preference must submit their Small Business Certification and document their status in Attachment 1, Contractor Status Form.

#### **Non-Small Business**

Government Code Section 14838(b) (2) also provides for a non-small business preference.

The preference to a non-small business bidder that commits to small business or micro-business subcontractor participation of twenty-five percent (25%) of its net bid price shall be five percent (5%) of the highest responsive, responsible bidder's total score (RFP secondary). A non-small business, which qualifies for this preference, may not take an award away from a certified small business. The small business regulations are located at 2 CCR 1896 et seq. Bidders qualifying for this preference must document the small business status of all subcontractors on Attachment 3.4 and submit all applicable Small Business Certifications.

#### **Target Area Contract Preference Request**

The Target Area Contract Preference Act (Government Code Section 4530 et seq.) provides five percent (5%) preference points to California-based companies that perform state contract work in a distressed area. Bidders should complete RFP Attachment 7 if they qualify for this preference. If you have further questions or need additional information on this matter, please contact TACPA/LAMBRA Preference Program Group at (916) 375-4609.

#### **Enterprise Zone Request**

The Enterprise Zone Act (Government Code Section 7070, et seq.) provides preference points as an incentive for business and job development in distressed and declining areas of the State. Bidders should review RFP Attachment 8 to determine if they qualify for this incentive. If you have further questions or need additional information on this matter, please contact TACPA/LAMBRA Preference Program Group at (916) 375-4609.

#### **Local Agency Military Base Recovery Act**

The Local Agency Military Base Recovery Act (LAMBRA, Government Code Section 7118, et seq.) provides five percent (5%) preference points to California-based companies that perform State contract work in the LAMBRA. Bidders should review RFP Attachment 9 to determine if they qualify for this preference. If you have further questions or need additional information on this matter, please contact TACPA/LAMBRA Preference Program Group at (916) 375-4609.

### **III. EVALUATION PROCESS AND CRITERIA** CONTINUED

#### **Disabled Veteran Business Enterprise Incentive**

The DVBE Incentive program was established pursuant to Military & Veterans Code Section 999.5(2) and Department of General Services' Regulations 2 CCR 1896.98 et.seq. The information in Attachment 3.1 explains how the incentive is applied and how much of an incentive will be given.

### III. EVALUATION PROCESS AND CRITERIA CONTINUED

#### EVALUATION CRITERIA AND WEIGHT FACTORS

All proposals must include the elements discussed below, in sufficient detail to determine a score. (Please note the primary basis for scoring of criteria 1 through 7 is the Bidder's "Approach to Tasks in Scope of Work" document, which must be submitted as part of Proposal Volume 2 Technical and Cost Response (see Part IV of this RFP).

Evaluation Criteria	Weight Factors	Total Possible Score
<b>1. <u>Approach to Scope of Work</u></b>  a. Responsiveness to Scope of Work (SOW) requirements. b. Responsiveness to intent of SOW tasks. c. Understanding of all the technical areas and functions identified. d. Logic and clarity of the proposed approach. e. Feasibility of proposed approach. f. Identification of personnel assigned to each task.	15	150
<b>2. <u>Company/Team, Team Experience and Technical Expertise</u></b>  a. Appropriateness of proposed team members to various tasks. b. Identification of a project coordinator, qualification to perform the work. c. Description of the personnel to be employed during performance (by classification or title), qualifications to perform the work, and roles in this proposed contract. d. Depth of team members' experience working together. e. Depth of coverage for all technical areas and functions identified. f. Demonstrated experience, understanding and judgment to handle complex issues. g. Resumes for each contract participant describing relevant experience and appropriate education. h. If subcontractors are contemplated, identification of those persons or firms, the portions and monetary percentages of the work to be done by the subcontractors how they were selected and why, resumes of each subcontract participant, and a description of how subcontracted work will be controlled, monitored, and evaluated. i. Professional awards. j. Experiences relevant to executing the tasks in the RFP.	15	150

### III. EVALUATION PROCESS AND CRITERIA CONTINUED

Evaluation Criteria	Weight Factors	Total Possible Score
<b>3. <u>Scope of Experience</u></b> <ul style="list-style-type: none"> <li>a. Collaborative stakeholder planning activities/contracts that were successfully conducted and/or concluded, with at least one sample of such work.</li> <li>b. Complexity and relevance of past work as it relates to the work anticipated under this RFP SOW.</li> <li>c. Knowledge of California's renewable energy policy, and experience with issues related to implementation of California's renewable energy projects.</li> <li>d. Knowledge of and experience with California transmission planning principles and models.</li> <li>e. History of working relationship between the team members and state and federal regulatory agencies, local , governments, the California ISO, investor and publicly owned utilities (IOUs and POUs), native American tribes, the military, renewable energy developers, the environmental community, and ratepayers including any significant successes.</li> </ul>	15	150
<b>4. <u>Team Organizational Structure</u></b> <ul style="list-style-type: none"> <li>a. Bidder's organizational structure, including company as a whole and specifically the entire contract team.</li> <li>b. Methods of internal communication, management structure, and approach to delegating tasks.</li> <li>c. Team structure, strength, responsiveness to the RFP.</li> <li>d. Effectiveness of team members to execute approaches to tasks identified in the Bidder's response to this RFP.</li> <li>e. Qualifications of team members to execute tasks to which they would be assigned.</li> <li>f. Interrelationships of team members to act in a coordinated and cohesive fashion.</li> <li>g. Ability to establish working relationships with stakeholders.</li> <li>h. Location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.</li> </ul>	15	150
<b>5. <u>Client References</u></b>  Strength of Client References	5	50
<b>6. <u>Previous Work Products</u></b> <ul style="list-style-type: none"> <li>a. Complexity and relevance to this RFP SOW</li> <li>b. Comprehensiveness and quality of any analysis and the overall work product</li> </ul>	5	50



### III. EVALUATION PROCESS AND CRITERIA CONTINUED

Evaluation Criteria	Weight Factors	Total Possible Score
<b>7. <u>Cost Factor – Suitability of Budget</u></b> <p>a. Suitability of budget for the Scope of Work. The project budget itemizes reasonable costs for personnel, in-direct costs, subcontractors, equipment, operating expenses, fees, etc., for each task.</p> <p>b. The proposal itemizes the budget in sufficient detail to justify the expenditures by task. The Budget includes the required information for personal services, subcontractors, operating expenses, fees, and total expenditures.</p> <p>c. Appropriate assignment of personnel (and subcontractors, if relevant) and adequacy of the hours allotted to complete various tasks.</p> <p>d. Effectiveness of firm's strategies to minimize costs to the State.</p> <p>The information provided includes the total cost of the project, with a detailed breakdown showing how the costs were determined and the desired method of payment. The detailed budget breakdown includes for the duration of the contract the following:</p> <ul style="list-style-type: none"> <li>Identification of position/classification titles funded.</li> <li>Salary rates or ranges per position/classification.</li> <li>Percentage of time devoted to the work.</li> <li>Fringe benefits.</li> <li>Operating expenses.</li> <li>Travel and per diem expenses.</li> <li>Overhead or indirect costs.</li> <li>Subcontractors with the same type of cost details.</li> <li>Any Other costs.</li> </ul>	30	300
<b><u>Total Technical Score (minimum: 700)</u></b>	100	1000
<b><u>Small / Micro Business Preference</u></b>	Points based on highest technical score	
<b><u>Non-Small Business Preference</u></b>	Points based on highest technical score	
<b><u>TACPA, EZA, or LAMBRA</u></b>	Points based on highest technical score	
<b><u>DVBE Incentive</u></b>	Points based on DVBE commitment. See Attachment 3.1.	
<b><u>Total Score</u></b>	Total score based on total technical score and applicable preference points	

## **IV. Proposal Format, Required Documents, and Delivery**

### **ABOUT THIS SECTION**

This section contains the format requirements and instructions how to submit a proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable the Commission to evaluate each proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

### **REQUIRED FORMAT FOR A PROPOSAL**

All proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred. Tabs are encouraged. Binders are discouraged.

### **NUMBER OF COPIES**

Bidders must submit the original and 4 copies of Volume 1 and Volume 2.

Bidders must also submit electronic files of the proposal on [CD-ROM diskette](#) along with the paper submittal. Electronic files must be in Microsoft Word XP (.doc format) or Excel Office Suite formats. Electronic files submitted via e-mail will not be accepted.

### **PACKAGING AND LABELING**

The original and copies of the proposal must be labeled "Request for Proposal – 700-09-701," and include the title of the proposal, "Support of the Renewable Energy Transmission Initiative."

#### **IV. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED**

Include the following label information and deliver your proposal, in a sealed package:

Person's Name, Phone # Bidder's Name Street Address City, State, Zip Code FAX #	RFP 700-09-701 Contracts Office, MS-18 California Energy Commission 1516 Ninth Street, 1st Floor Sacramento, California 95814
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#### **PREFERRED METHOD FOR DELIVERY**

A Bidder may deliver a proposal by:

- U. S. Mail
- Personally
- Courier service

Proposals must be received no later than 3:00 p.m., in the Commission Contracts Office during normal business hours and prior to the date and time specified in this RFP. In accordance with Public Contract Code 10344, proposals received after the specified date and time are considered late and will not be accepted. There are no exceptions to this law. Postmark dates of mailing or records showing the date and time of E-mail or facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances, to establish the date and time of receipt.

## IV. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED

### ORGANIZE YOUR PROPOSAL AS FOLLOWS:

#### VOLUME 1, ADMINISTRATIVE RESPONSE

Cover Letter

Table of Contents

Contractor Status Form

Attachment 1

Darfur Contracting Act Form

Attachment 2

DVBE Certification Instructions

If applicable3.1

Completed Disabled Veteran Business Enterprise form

Attachment 3.2

DVBE STD. 843

Attachment 3.3

Bidder Declaration form GSPD-05-105

Attachment 3.4

Contractor Certification Clauses

Attachment 4

Standard Agreement

Attachment 6

TACPA, EZA, LAMBRA forms

Attachments 7, 8, and/or 9 (if applicable)

#### VOLUME 2, TECHNICAL AND COST RESPONSE

- |   |                                  |
|---|----------------------------------|
| 1. Approach to Tasks in Scope of Work         | See required detail below in A.  |
| 2. Team Organizational Structure              | See required detail below in B.  |
| 3. Project Team Experience and Qualifications | See required detail below in C.  |
| 4. Team Resumes                               | See requirement below in D.      |
| 5. Client References                          | Attachment 5. See also E below.  |
| 6. Previous Work Products                     | See required detail below in F.  |
| 7. Project Budget                             | Attachment 10. See also G below. |

#### A. Approach to tasks in Scope of work

Describe the Bidder's approach to providing services listed in the Scope of Work, highlighting any outstanding features, qualifications and experience.

#### B. Team Organizational Structure

1. Describe the organizational structure of the Bidder, including providing an organizational chart of the entire contract team.
2. Identify the location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
3. Provide a short description of each firm (Bidder and subcontractors) and key members on the team. Describe the relationship between the Bidder and subcontractors on your team. Indicate any history of a working relationship between the team members noting any significant success stories.
4. Describe professional awards.

#### **IV. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED**

5. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any subcontractors and how the staff pertains to this contract.
6. Identify a primary contact person. This person should attend the oral interview session if one is scheduled as part of the evaluation process. At least one person from each technical area should also attend the interview, if one is scheduled.
7. Describe any technical capabilities that would facilitate communicating with the Energy Commission (e.g., internet capability and electronic reports).
8. Describe methods of internal communication, management structure, and approach to delegating tasks.

#### **C. Project Team Relevant Experience and Qualifications**

1. Document the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe the nature and scope of recently completed work as it relates to the Scope of Work.
2. Identify and list all Bidder staff and subcontractors (all team members) who will be committed to the tasks and describe their roles.
3. Describe job classification, relevant experience, education, academic degrees and professional licenses of these technical staff team members.
4. Identify the percentage of time each team member will be available throughout the contract.
5. Describe team members' familiarity with the administration, management, and technical expertise needed to perform pertinent tasks identified in the Scope of Work.
6. Describe the team's experience in working within public processes and how representatives of state and federal regulatory agencies, local governments, the California Independent System Operator (California ISO), investor and publicly owned utilities (IOUs and POUs, respectively), native American tribes, the military, renewable energy developers, the environmental community, ratepayers, and renewable power developers have been recruited, involved, and participated.

#### **D. Team Resumes**

Each bidder shall submit resumes of all team members.

#### **E. Client References**

Each bidder shall complete a Customer Reference Form [\(Attachment 5\)](#). Customer references are recommended for each bidder. Up to three customer references will be considered for each bidder.

## IV. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED

### F. Previous Work Products

Each bidder shall provide at least one example of a similar work product for the services to be provided. If more than one company will be providing technical support in a task area, each company shall submit one example product that demonstrates experience in potential work assignments described in this RFP.

### G. Project Budget

The Contractor must submit information on all the attached budget forms, B-1 through B-7 which will be deemed the equivalent of a formal bid submission under the Public Contract Code. Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the contractor for this RFP.

**NOTE:** The information provided in these forms will not be kept confidential. The salaries, rates, and other costs entered on these forms become a part of the final contract. The entire term of the contract and projected rate increases must be considered when preparing the budget. The rates bid are considered capped and shall not change during the term of the contract. The Contractor shall only be reimbursed for its actual rates up to these rate caps. The Hourly Rates provided in B-2 and all B-5s shall be unloaded (before fringe, overheads or profit).

Budget Summary	Attachment 10, B-1
Prime Direct Task Budget	Attachment 10, B-2
Prime Indirect Task Budget	Attachment 10, B-3
Subcontractor Direct Task Budget	Attachment 10, B-2
Subcontractor Indirect task Budget	Attachment 10, B-3
Prime Personnel Unloaded Hourly Rates and Hours	Attachment 10, B-4
Subcontractor Personnel Unloaded Hourly Rates, Hours	Attachment 10, B-4
Prime Indirect Cost Calculation	Attachment 10, B-5
Subcontractor Indirect Cost Calculation	Attachment 10, B-5
Travel, Equipment, Materials, and Misc. List	Attachment 10, B-6
In-Kind Contributions (If applicable)	Attachment 10, B-7

## **V. Administration**

### **RFP DEFINED**

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder's ability to perform the RFP tasks.

### **DEFINITION OF KEY WORDS**

Important definitions for this RFP are presented below:

<b>Word/Term</b>	<b>Definition</b>
State	State of California
DGS	Department of General Services
Energy Commission	California Energy Commission
RFP	Request for Proposal, this entire document
Proposal	Formal written response to this document from bidder
Bidder	Respondent to this RFP
CCM	Commission Contract Manager
RETI	Renewable Energy Transmission Initiative
DVBE	Disabled Veteran Business Enterprises

### **IMPORTANT ADMINISTRATIVE DETAILS**

#### **Cost of Developing Proposal**

The Bidder is responsible for the cost of developing a proposal, and this cost cannot be charged to the State.

#### **Confidential Information**

The Commission will not accept or retain any Proposals that are marked confidential in their entirety or seek to have any part of the proposal treated as confidential.

#### **Darfur Contracting Act of 2008**

Effective January 1, 2009, all Requests for Proposals (RFP) must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with "scrutinized" companies that do business in the African nation of

## V. ADMINISTRATION CONTINUED

Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a “scrutinized” company when it submits a bid or proposal to a State agency. (See # 1 on Attachment 2).

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 2).

### **DISABLED VETERAN BUSINESS ENTERPRISES (DVBE) COMPLIANCE REQUIREMENTS-**

The Disabled Veteran Business Enterprise (DVBE) Program has two inter-related aspects:

**Participation Goals:** This RFP is subject to a mandatory participation goal of three percent (3%) certified California Disabled Veteran Business Enterprise (DVBE) as set forth in Public Contract Code Section 10115 et seq.

And,

**Incentive:** The DVBE Incentive Program gives a contractor an opportunity to improve their bid status based on the efforts attained from the DVBE Participation Program. More information regarding DVBE and Small Business is located in Attachments 3.1 and 3.2.

If for this RFP the contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then the contractor must within 60 days of receiving final payment under this agreement (or within such other time period as may be specified elsewhere in this agreement) certify in a report to the awarding department: 1) the total amount the prime contractor received under the contract; 2) the name and address of the DVBE(s) that participated in the performance of the contract; 3) the amount each DVBE received from the prime contractor; 4) that all payments under the contract have been made to the DVBE(s); and 5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. (Military & Veterans Code (M&VC) § 999.5(d))



## **RFP CANCELLATION AND AMENDMENTS**

If it is in the State's best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or
- Reject any or all Proposals received in response to this RFP

If the RFP is amended, the Energy Commission will send an addendum to all parties who requested the RFP and will also post it on the Energy Commission's Web Site [www.energy.ca.gov/contracts](http://www.energy.ca.gov/contracts) and Department of General Services' Web Site [www.cscr.dgs.ca.gov/cscr](http://www.cscr.dgs.ca.gov/cscr).

## **Errors**

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Commission shall not be responsible for failure to correct errors.

## **MODIFYING OR WITHDRAWAL OF PROPOSAL**

A Bidder may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted Proposal before the deadline to submit proposals. Proposals cannot be changed after that date and time. A Proposal cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: "This proposal and the cost estimate are valid for 60 days."

## **IMMATERIAL DEFECT**

The Energy Commission may waive any immaterial defect or deviation contained in a Bidder's proposal. The Energy Commission's waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

## **DISPOSITION OF BIDDER'S DOCUMENTS**

On the Notice of Proposed Award posting date all proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

### BIDDERS' ADMONISHMENT

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

### GROUND TO REJECT A PROPOSAL

#### A Proposal shall be rejected if:

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.
- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- ~~DVBE advertising is less than 14 days prior to bid due date.~~
- It is lacking properly executed Contractor Certification Clauses.
- It is lacking a properly executed Darfur Contracting Act form.
- It contains materially false or misleading statements or references.
- There is a conflict of interest as contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information or material marked as confidential

#### A Proposal may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple proposals for each task.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.

### **PROTEST PROCEDURES**

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the Commission cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10345.
- During the five working days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and the Commission Contracts Office.
- Within five days after filing the protest, the protesting Bidder must file with the DGS and the Commission Contracts Office a full and complete written statement specifying the grounds for the protest.
- If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the Commission for the DGS hearing officer consideration.

### **AGREEMENT REQUIREMENTS**

The content of this RFP shall be incorporated by reference into the final contract. See the sample Agreement terms and conditions included in this RFP.

#### **No Contract Until Signed & Approved**

No agreement between the Commission and the successful Bidder is in effect until the contract is signed by the Contractor, approved at a Commission Business Meeting, and approved by the Department of General Services, if required.

#### **Contract Amendment**

The contract executed as a result of this RFP may be amended by mutual consent of the Commission and the Contractor. The contract may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.